

1 AN ACT concerning finance.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The State Finance Act is amended by changing
5 Section 8h as follows:

6 (30 ILCS 105/8h)

7 Sec. 8h. Transfers to General Revenue Fund.

8 (a) Except as provided in subsection (b), notwithstanding
9 any other State law to the contrary, the Governor may, through
10 June 30, 2007, from time to time direct the State Treasurer and
11 Comptroller to transfer a specified sum from any fund held by
12 the State Treasurer to the General Revenue Fund in order to
13 help defray the State's operating costs for the fiscal year.
14 The total transfer under this Section from any fund in any
15 fiscal year shall not exceed the lesser of (i) 8% of the
16 revenues to be deposited into the fund during that fiscal year
17 or (ii) an amount that leaves a remaining fund balance of 25%
18 of the July 1 fund balance of that fiscal year. In fiscal year
19 2005 only, prior to calculating the July 1, 2004 final
20 balances, the Governor may calculate and direct the State
21 Treasurer with the Comptroller to transfer additional amounts
22 determined by applying the formula authorized in Public Act
23 93-839 to the funds balances on July 1, 2003. No transfer may
24 be made from a fund under this Section that would have the
25 effect of reducing the available balance in the fund to an
26 amount less than the amount remaining unexpended and unreserved
27 from the total appropriation from that fund estimated to be
28 expended for that fiscal year. This Section does not apply to
29 any funds that are restricted by federal law to a specific use,
30 to any funds in the Motor Fuel Tax Fund, the Intercity
31 Passenger Rail Fund, the Hospital Provider Fund, the Medicaid
32 Provider Relief Fund, the Teacher Health Insurance Security

1 Fund, the Reviewing Court Alternative Dispute Resolution Fund,
2 ~~or~~ the Voters' Guide Fund, the Foreign Language Interpreter
3 Fund, the Lawyers' Assistance Program Fund, the Supreme Court
4 Federal Projects Fund, the Supreme Court Special State Projects
5 Fund, the State's Attorneys Appellate Prosecutor's County
6 Fund, ~~or~~ the Low-Level Radioactive Waste Facility Development
7 and Operation Fund, or the Hospital Basic Services Preservation
8 Fund, or to any funds to which subsection (f) of Section 20-40
9 of the Nursing and Advanced Practice Nursing Act applies. No
10 transfers may be made under this Section from the Pet
11 Population Control Fund. Notwithstanding any other provision
12 of this Section, for fiscal year 2004, the total transfer under
13 this Section from the Road Fund or the State Construction
14 Account Fund shall not exceed the lesser of (i) 5% of the
15 revenues to be deposited into the fund during that fiscal year
16 or (ii) 25% of the beginning balance in the fund. For fiscal
17 year 2005 through fiscal year 2007, no amounts may be
18 transferred under this Section from the Road Fund, the State
19 Construction Account Fund, the Criminal Justice Information
20 Systems Trust Fund, the Wireless Service Emergency Fund, or the
21 Mandatory Arbitration Fund.

22 In determining the available balance in a fund, the
23 Governor may include receipts, transfers into the fund, and
24 other resources anticipated to be available in the fund in that
25 fiscal year.

26 The State Treasurer and Comptroller shall transfer the
27 amounts designated under this Section as soon as may be
28 practicable after receiving the direction to transfer from the
29 Governor.

30 (b) This Section does not apply to: (i) the Ticket For The
31 Cure Fund; (ii) ~~or to~~ any fund established under the Community
32 Senior Services and Resources Act; or (iii) ~~(ii)~~ on or after
33 January 1, 2006 (the effective date of Public Act 94-511) ~~this~~
34 ~~amendatory Act of the 94th General Assembly~~, the Child Labor
35 and Day and Temporary Labor Enforcement Fund.

36 (c) This Section does not apply to the Demutualization

1 Trust Fund established under the Uniform Disposition of
2 Unclaimed Property Act.

3 (d) This Section does not apply to the Underground Storage
4 Tank Fund.

5 (Source: P.A. 93-32, eff. 6-20-03; 93-659, eff. 2-3-04; 93-674,
6 eff. 6-10-04; 93-714, eff. 7-12-04; 93-801, eff. 7-22-04;
7 93-839, eff. 7-30-04; 93-1054, eff. 11-18-04; 93-1067, eff.
8 1-15-05; 94-91, eff. 7-1-05; 94-120, eff. 7-6-05; 94-511, eff.
9 1-1-06; 94-535, eff. 8-10-05; 94-639, eff. 8-22-05; 94-645,
10 eff. 8-22-05; 94-648, eff. 1-1-06; 94-686, eff. 11-2-05;
11 94-691, eff. 11-2-05; revised 11-15-05.)

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.